

**REMARKS**

This Application has been carefully reviewed in light of the Office Action mailed October 12, 2005. Applicant has amended Claims 1, 6, 8, 11, 14, 19, 24, 26, 29, 32, 37, 42, 44, 47, and 50, and added new Claims 56-58. For the reasons discussed below, Applicants submit that all pending claims are patentably distinguishable over the cited references. Applicants, therefore, respectfully request reconsideration and favorable action in this case.

**Section 103 Rejections**

The Examiner rejects several claims under 35 U.S.C. §103(a) as being unpatentable over a modification of a reference or a combination of references. The question raised under 35 U.S.C. § 103 is whether the prior art taken as a whole would suggest the claimed invention taken as a whole to one of ordinary skill in the art at the time of the invention. *See* 35 U.S.C. § 103(a) (2000). Accordingly, even if all elements of a claim are disclosed in various prior art references, which is respectfully not the case here as discussed below, the claimed invention taken as a whole cannot be said to be obvious without some reason given in the prior art why one of ordinary skill at the time of the invention would have been prompted to modify the teachings of a reference or combine the teachings of multiple references to arrive at the claimed invention.

The M.P.E.P. sets forth the strict legal standard for establishing a *prima facie* case of obviousness based on modification or combination of prior art references:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references where combined) must teach or suggest all the claim limitations.

M.P.E.P. chs. 2142-43 (Rev. 2, May 2004). “To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. All words in a claim must be considered in judging the patentability of that claim against the prior art.” M.P.E.P. ch. 2143.03 (Rev. 2, May 2004) (citations omitted). Additionally, “if proposed modification would render the prior art invention being modified unsatisfactory for

its intended purpose, then there is no suggestion or motivation to make the proposed modification.” M.P.E.P. ch. 2143.03 (Rev. 2, May 2004) (citations omitted).

The M.P.E.P. sets forth a strict legal standard for finding obviousness based on a modification or combination of references. According to the M.P.E.P., “Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge [that was] generally available to one of ordinary skill in the art” at the time of the invention. M.P.E.P. 2143.01. The “fact that references can be combined or modified does not render the resultant combination [or modification] obvious unless the prior art also suggests the desirability of the combination” or modification. *Id.* (emphasis in original).

The governing Federal Circuit case law makes this strict legal standard even more clear. According to the Federal Circuit, “a showing of a suggestion, teaching, or motivation to combine . . . prior art references is an essential component of an obviousness holding.” *In re Sang-Su Lee*, 277 F.3d 1338, 1343 (Fed. Cir. 2002) (quoting *Brown & Williamson Tobacco Corp. v. Philip Morris Inc.*, 229 F.3d 1120, 1124-25 (Fed. Cir. 2000)). “Evidence of a suggestion, teaching, or motivation . . . may flow from the prior art references themselves, the knowledge of one of ordinary skill in the art, or, in some cases, the nature of the problem to be solved.” *In re Dembiczak*, 175 F.3d 994, 999 (Fed. Cir. 1999). However, the “range of sources available . . . does not diminish the requirement for actual evidence.” *Id.* In *In re Dembiczak*, the Federal Circuit reversed a finding of obviousness by the Board of Patent Appeals and Interferences, explaining that proper evidence of a teaching, suggestion, or motivation to combine is essential to avoid impermissible hindsight reconstruction of an applicant's invention:

Our case law makes clear that the best defense against the subtle but powerful attraction of hind-sight obviousness analysis is *rigorous application of the requirement for a showing of the teaching or motivation to combine prior art references*. Combining prior art references without evidence of such a suggestion, teaching, or motivation simply takes the inventor's disclosure as a blueprint for piecing together the prior art to defeat patentability—the essence of hindsight.

175 F.3d at 999 (quoting *W.L. Gore & Assoc., Inv. v. Garlock, Inc.*, 721 F.2d 1540, 1553 (Fed. Cir. 1983)) (emphasis added) (citations omitted).

**First Section 103 Rejection**

Claims 1, 3-5, 10-13, 18-19, 21-23, 28-31, and 34 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,577,648 issued to Raisanen et al. ("*Raisanen*"). Applicants respectfully disagree.

Independent Claim 1, as amended, recites the following:

A method for providing an audio stream in a voice over Internet Protocol (VoIP) environment, comprising:  
determining a quality value for each of a plurality of audio streams communicated in a VoIP format;  
selecting one of the audio streams based on the quality values for the audio streams; and  
facilitating playing of the selected audio stream to a call on hold.

Independent Claim 19 recites similar, although not identical, limitations. Applicants note that each of these independent claims (and Independent Claim 37, discussed below) have been amended to further clarify that the claimed method and system facilitate playing of the selected audio stream to *a call on hold*. Applicants have made the amendment in light of the Examiner's indication that he is not giving patentable weight to the clause "for playing to a call on hold." Office Action, p. 2, paragraph 3. Although Applicants believe that the Examiner's position is unsupported by the law (the references cited by the Examiner refer to a *preamble* not being accorded patentable weight where it merely recites the purpose of a process or the intended use of a structure, *see* M.P.E.P. § 707.07(f), paragraph 7.37.10), Applicants nonetheless amend the independent claims to expedite prosecution of the present Application.

Amended Claim 1 (and Claim 19) are allowable because *Raisanen*, whether considered singly or in combination with information generally available to those of ordinary skill in the art at the time of the invention, fails to disclose, teach, or suggest each and every one of these limitations. For example, as the Examiner concedes, *Raisanen* does not disclose selecting one of the audio streams based on the quality values for the audio streams. However, the Examiner states that "doing so would have been obvious to one of ordinary

skill in the art because some applications are intolerant of low quality-of-service streams, as disclosed in Column 1 lines 31-33.” Though the cited passage does disclose that some applications are intolerant of packets arriving after play-back time, the passage does not disclose why it would be obvious to modify *Raisanen*’s method to select one of its streams based on the quality values of the streams. The multiple streams of packets disclosed in *Raisanen* are used for measurement purposes, and *Raisanen* does not teach or suggest selecting one of the audio streams. See Column 3, line 53 - Column 4 line 17. In fact, *Raisanen* teaches away from selecting one of its measurement audio streams, as these signals are synchronized during an analysis phase taking place after the measurements (and not later selected based on their quality values). See Column 3, lines 60-65. This teaching away is supported by the purpose of *Raisanen*, disclosed at Column 4, lines 12-17, which is to provide a reliable measure of the quality of service provided to various users located in different parts of the network. The purpose is not to select one of the test streams. Thus, *Raisanen* does not disclose or suggest this limitation, as required by Claim 1.

In addition, *Raisanen* fails to disclose “facilitating playing of the selected audio stream to a call on hold,” as required by Claim 1. No part of *Raisanen* discloses this limitation.

For at least these reasons, Applicants respectfully submit that Claims 1 and 19, as well as the claims that depend from these independent claims, are in condition for allowance. Therefore, reconsideration and favorable action are requested. In addition to depending from an allowable independent claim, by way of example, at least Claims 11, 18, 29, and 36 also recite additional limitations not disclosed by *Raisanen*.

Claim 11, as amended, recites the following:

The method of Claim 1, wherein facilitating playing of the selected audio stream to a call on hold comprises communicating at least an identifier of the selected audio stream to an endpoint handling the call on hold.

Amended Claim 29 recites similar, although not identical, limitations as Claim 11.

Amended Claim 11 (and Amended Claim 29) are allowable because *Raisanen*, whether considered singly or in combination with information generally available to those of

ordinary skill in the art at the time of the invention, fails to disclose, teach, or suggest each and every one of the limitations of Claim 11. For example, *Raisanen* fails to disclose “...communicating at least *an identifier* of the selected audio stream to an endpoint handling the call on hold.” The Examiner asserts that “[e]ach packet must be equipped with a header identifying its final destination in order for the endpoint to correctly route the packet. Therefore the selected stream must be identified to the endpoint handling the call on hold.” However, the header identifying a packet’s final destination referred to by the Examiner is not an identifier of the selected audio stream but rather an identifier of a stream’s final destination. Thus, even assuming that *Raisanen* discloses the unsupported assertion made by the Examiner, *Raisanen* does not disclose “...communicating at least *an identifier* of the selected audio stream to an endpoint handling the call on hold, as required by Claim 11.

In addition, *Raisanen* fails to disclose “...communicating at least an identifier of the selected audio stream to *an endpoint handling the call on hold*.” The Examiner does not address this limitation. No part of *Raisanen*, including the passage cited by the Examiner at Column 11, line 3, discloses that the endpoint to which *Raisanen*’s measurement streams are forwarded is an endpoint handling *a call on hold*, as required by Claim 11.

Claim 18 recites the following:

The method of Claim 1, further comprising:  
identifying a poor quality audio stream based on the quality value for the audio stream; and  
communicating an identifier of the poor quality stream to an upstream router for discard of the poor quality audio stream.

Claim 36 recites similar, although not identical, limitations as Claim 18.

Claim 18 (and Claim 36) are allowable because *Raisanen*, whether considered singly or in combination with information generally available to those of ordinary skill in the art at the time of the invention, fails to disclose, teach, or suggest each and every one of the limitations of Claim 18. For example, *Raisanen* fails to disclose “communicating an identifier of the poor quality stream to an upstream router for discard of the poor quality audio stream.” The Examiner does not assert that *Raisanen* discloses this limitation. Rather, the Examiner asserts that “choosing a stream based upon its quality value and discarding of it

if it is poor quality would have been obvious to one of ordinary skill in the art because some applications are intolerant of low quality-of-service streams, as disclosed in column 1 lines 31-33.” However, the fact that some applications may be intolerant of low quality-of-service streams does not make obvious each and every method by which those applications are to receive adequate quality-of-service streams. In particular, communicating an identifier of a poor quality stream (the stream identified from a plurality of streams) to an upstream router for discard of the poor quality audio stream is not obvious based on cited prior art. In addition, there is no motivation to modify the audio streams of *Raisanen* in view of the prior art cited at Column 1, lines 31-33. In fact, discarding the measurement streams of *Raisanen* by a router would defeat the purpose of *Raisanen*, disclosed at Column 4, lines 12-17, which is to provide a reliable measure of the quality of service provided to various users located in different parts of the network. Discarding poor quality audio streams would provide for an unreliable assessment of the network. Thus, *Raisanen* does not disclose or suggest this limitation, as required by Claim 18.

For at least these reasons (in addition to those provided above with reference to Independent Claims 1 and 19), Applicants respectfully submit that Claims 11, 18, 29, and 36 are in condition for allowance. Therefore, reconsideration and favorable action are requested.

#### **Second Section 103 Rejection**

Claims 2, 7, 20, 25, 37-41, 44, 46-49, and 54-55 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Raisanen* in view of U.S. Patent No. 6,526,041 issued to Shaffer et al. (“*Shaffer*”). Applicants respectfully disagree.

Claims 2, 7, 20, and 25 depend from one of allowable Claims 1 and 19. For at least the reasons provided above with reference to Claims 1 and 19, Applicants respectfully submit that Claims 2, 7, 20, and 25 are in condition for allowance. Therefore, reconsideration and favorable action are requested.

Independent Claim 37, as amended, recites the following:

A system for providing an audio stream in a voice over Internet Protocol (VoIP) environment, the system comprising logic encoded in media and operable to:

- determine a quality value for each of a plurality of audio streams communicated in a VoIP format;
- select one of the audio streams based on the quality values for the audio streams; and
- facilitate playing of the selected audio stream to a call on hold.

Amended Claim 37 recites similar, although not identical, limitations as Claim 1, discussed above. For at least the reasons provided above with reference to Claim 1, *Raisanen* does not disclose the limitations of Claim 37. *Shaffer* too does not disclose the limitations. For example, *Shaffer* does not disclose determining a quality value for each of a plurality of audio streams communicated in a VoIP format or selecting one of the audio streams based on the quality values for the audio streams. The Examiner does not address these limitations with reference to *Shaffer*, and no part of *Shaffer* discloses the limitations.

For at least these reasons, Applicants respectfully submit that Claim 37, as well as the claims that depend from Claim 37, are in condition for allowance. Therefore, reconsideration and favorable action are requested. In addition to depending from an allowable independent claim, by way of example, at least Claims 47 and 54 recite additional limitations not disclosed by *Raisanen* and *Shaffer*.

Claim 47, as amended, recites the following:

- The system of Claim 37, wherein facilitating playing of the selected audio stream to a call on hold comprises communicating at least an identifier of the selected audio stream to an endpoint handling the call on hold.

Claim 47 recites similar, although not identical, limitations as Claim 11, discussed above. For at least the reasons provided above with reference to Claim 11, *Raisanen* does not disclose the limitations of Claim 47. *Shaffer* too does not disclose “communicating at least an identifier of the selected audio stream to an endpoint handling the call on hold.” The Examiner does not address this limitation with reference to *Shaffer*, and no part of *Shaffer* discloses the limitation.

Claim 54 recites the following:

- The system of Claim 37, the logic further operable to:
  - identify a poor quality audio stream based on the quality value for the audio stream; and

communicate an identifier of the poor quality stream to an upstream router for discard of the poor quality audio stream.

Claim 54 recites similar, although not identical, limitations as Claim 18, discussed above. For at least the reasons provided with reference to Claim 18, *Raisanen* does not disclose the limitations of Claim 54. *Shaffer* too does not disclose the limitations. The Examiner does not address these limitations with reference to *Shaffer*, and no part of *Shaffer* discloses the limitations.

For at least these reasons (in addition to those provided above with reference to Independent Claim 37), Applicants respectfully submit that Claims 47 and 54 are in condition for allowance. Therefore, reconsideration and favorable action are requested.

Independent Claim 55 recites the following:

A method for providing music-on-hold at an endpoint of an Internet Protocol network, comprising:

- receiving a plurality of music-on-hold streams;
- repetitively determining a real-time quality value for each of the audio streams based on at least one of packet jitter and packet loss for the music-on-hold stream;
- in response to at least a call being placed on hold, selecting one of the music-on-hold streams as a high quality stream based on the real-time quality values for the music-on-hold streams; and
- playing the high quality stream to the call on hold.

Claim 55 is allowable because *Raisanen* and *Shaffer*, whether considered singly, in combination with one another, or in combination with information generally available to those of ordinary skill in the art at the time of the invention, fail to disclose all of the elements of Claim 55. For example, as the Examiner concedes, *Raisanen* does not disclose repetitively determining a real-time quality value for each of the audio streams. The Examiner asserts that *Shaffer* discloses dynamic calculations, and thus that it would have been obvious to one of ordinary skill in the art to calculate quality-of-service for each of the audio streams as taught by *Raisanen* using the dynamic calculations taught by *Shaffer* because many of the values used for the *Shaffer* calculations are dynamic. However, *Shaffer* discloses comparing an average download transfer time to an average call waiting time and doing so dynamically. Column 4, line 54 - Column 5, line 3. There is simply no motivation to combine *Shaffer*'s calculation, which has nothing to do with the quality of service of a stream (but rather has to



do with applet download and call waiting times), with *Raisanen*'s method of measuring the quality of service characteristics of a network.

In addition, neither reference discloses "in response to at least a call being placed on hold, selecting one of the music-on-hold streams as a high quality stream based on the real-time quality values for the music-on-hold streams." As discussed above with reference to allowable Claim 1, *Raisanen* does not disclose or suggest selecting one of the streams as a high quality stream based on the real-time quality values. *Schaffer* too fails to disclose this limitation, as required by Claim 55. In addition, as described above, there is no motivation to combine *Raisanen*'s method for determining quality-of-service characteristics of a network and *Schaffer*'s method for music-on-hold delivery.

Additionally, neither reference discloses playing the high quality stream to the call on hold. Applicants respectfully fail to see where *Schaffer* discloses or suggests playing *the high quality stream* to a call on hold, and the Examiner does not adequately address this limitation. *Schaffer* discloses transferring an applet from the server to the client and providing an RTP stream initially to provide music to held callers. No part of *Schaffer* discloses playing *the high quality stream* to a call on hold. In addition, no part of *Raisanen* discloses the limitation, as required by Claim 55.

For at least these reasons, Applicants respectfully submit that Independent Claim 55 is in condition for allowance. Therefore, reconsideration and favorable action are requested.

### **Third Section 103 Rejection**

Claims 6, 9, 24, and 27 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Raisanen* in view of U.S. Patent No. 6,947,417 issued to Laursen et al. ("*Laursen*"). Claims 6, 9, 24, and 27 depend from one of allowable Claims 1 and 19. Thus, they are allowable at least because they depend from an allowable independent claim. In addition to depending from an allowable independent claim, by way of example, at least Claims 6 and 24 also recite additional limitations not disclosed by *Raisanen* and *Laursen*.

Claim 6, as amended, recites the following:

The method of Claim 1, wherein the selected audio stream comprises a first audio stream, further comprising:

in response to at least degradation of the first audio stream below a threshold, selecting a second audio stream based on a then current quality value for each of the remaining audio streams; and  
facilitating playing of the second audio stream.

Claim 24 recites similar, although not identical, limitations.

Claim 6 (and Claim 24) are allowable because *Raisanen* and *Laursen*, whether considered singly, in combination with one another, or in combination with information generally available to those of ordinary skill in the art at the time of the invention, fail to disclose all of the elements of Claim 6. For example, as the Examiner concedes, *Raisanen* fails to disclose “in response to at least degradation of the first audio stream below a threshold, selecting a second audio stream based on a then current quality value for each of the remaining audio streams.” The Examiner asserts that this limitation is disclosed in *Laursen*. Applicants respectfully request that the Examiner more clearly identify where this limitation is disclosed in *Laursen*, as Applicants respectfully fail to see where *Laursen* discloses this limitation. It would seem to Applicants that *Laursen*, at the most, discloses setting different priorities for audio sources. *Laursen* does not disclose that these priorities are set based on the quality value of the audio streams, much less that a second audio stream is selected in response to degradation of a first audio stream. *See column 13, line 41 - column 19, line 44.* Thus, *Laursen* does not disclose “in response to at least degradation of the first audio stream below a threshold, selecting a second audio stream based on a then current quality value for each of the remaining audio streams,” as required by Claim 6.

In addition, no motivation exists to combine *Raisanen* and *Laursen*. The Examiner asserts that “[i]t would have been obvious to one of ordinary skill in the art to monitor the audio streams of *Raisanen et al.* to ensure the one with the highest value is always playing, as taught by *Laursen et al.* because the one with the highest value will provide the best quality-of-service.” However, no motivation would exist to monitor the audio streams of *Raisanen* to ensure that the one with the highest value is playing because the audio streams of *Raisanen* are measurement streams used to determine the quality-of-service characteristics of a network. These measurement streams must be synchronized during an analysis phase taking place after the measurements, and there would be no reason to select one measurement

stream because of degradation in another measurement stream. *See Raisanen, column 3, lines 60-65.*

For at least these reasons (in addition to those provided above with reference to Independent Claims 1 and 19), Applicants respectfully submit that Claims 6, 9, 24, and 27 are in condition for allowance. Therefore, reconsideration and favorable action are requested.

**Fourth Section 103 Rejection**

Claims 14, 32, 42, 43, 45, and 50 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Raisanen* in view of *Shaffer* in view of *Laursen*. Claims 14, 32, 42, 43, 45, and 50 depend from one of allowable Claims 1, 19, and 37. Thus, they are allowable at least because they depend from an allowable independent claim. In addition to depending from an allowable independent claim, by way of example, at least Claims 14, 32, 42, and 50 also recite additional limitations not disclosed by *Raisanen*, *Shaffer*, and *Laursen*.

Claim 14, as amended, recites the following:

The method of Claim 1, further comprising:  
selecting a locally stored audio file in response to at least the quality  
values for the audio streams being below a threshold value; and  
facilitating playing of the stored audio file to a call on hold.

Claims 32 and 50 recite similar, although not identical, limitations.

Amended Claim 14 (and Claims 32 and 50) are allowable because *Raisanen*, *Shaffer*, and *Laursen*, whether considered singly, in combination with one another, or in combination with information generally available to those of ordinary skill in the art at the time of the invention, fail to disclose all of the elements of Claim 14. For example, as the Examiner concedes, *Raisanen* does not disclose selecting a locally stored audio file in response to at least the quality values for the audio streams being below a threshold value. The Examiner asserts that *Shaffer* discloses playing a local audio file and that *Laursen* discloses choosing a stream based upon a threshold value. However, as discussed above, *Laursen* does not disclose selecting a file in response to at least the quality values for the audio streams being below a threshold value. At most, *Laursen* discloses setting different priorities for audio sources. *Laursen* does not disclose that these priorities are set based on the quality value of

the audio streams, much less that a file is selected in response to at least the quality values for the audio streams being below a threshold value. *See column 13, line 41 - column 19, line 44.* Applicants respectfully request that the Examiner more clearly identify where this limitation is disclosed in *Laursen*, as Applicants respectfully believe that it is not disclosed.

In addition, even if all three references disclosed the limitations of Claim 14, which Applicants respectfully believe that they do not, there would be no motivation to combine the three references. The Examiner asserts that “[i]t would have been obvious to one of ordinary skill in the art to monitor the audio streams of *Raisanen et al.* and play a local music file as taught by *Shaffer et al.* if none of the streams were above the threshold as taught by *Laursen et al.* The motivation for doing so is ... that some end devices are intolerant of low quality-of-service and ... that playing a file locally can preserve network resources.” However, no motivation would exist to select *Shaffer*’s music file stored at a client in response to at least the quality values for *Raisanen*’s audio streams being below a threshold value, which *Laursen* allegedly discloses. The purpose of *Shaffer*’s method is to preserve server resources. *Shaffer*, column 2, lines 49-55. Thus, *Shaffer* discloses that, to the extent possible, an applet containing a music file should be downloaded to a client and that an RTP stream should be used as little as possible to preserve server resources. *See column 4, line 30-column 5, line 3.* Thus, *Shaffer* teaches away from selecting a locally stored audio file in response to the quality values for audio streams. *Shaffer* would select its locally stored audio file sent via an applet regardless of the quality values of any other audio streams. Thus, there would be no motivation to combine *Shaffer* with *Raisanen* and *Laursen*.

Claim 42 recites the following:

The system of Claim 37, wherein the selected audio stream comprises a first audio stream, the logic further operable to:  
in response to at least degradation of the first audio stream below a threshold, select a second audio stream based on a then current quality value for each of the remaining audio streams; and  
facilitate playing of the second audio stream.

Claim 42 recites similar, although not identical, limitations as Claim 6, discussed above. For at least the reasons provided with reference to Claim 6, *Raisanen* and *Laursen* do not disclose the limitations of Claim 42. *Shaffer* too does not disclose the limitations. The Examiner does

not address these limitations with reference to *Shaffer*, and no part of *Shaffer* discloses the limitations.

For at least these reasons (in addition to those provided above with reference to Independent Claims 1, 19, and 37), Applicants respectfully submit that Claims 14, 32, 42, 43, 45, and 50 are in condition for allowance. Therefore, reconsideration and favorable action are requested.

**Fifth Section 103 Rejection**

Claims 15-16 and 33-34 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Raisanen* in view of U.S. Patent No. 6,418,138 issued to Cerf et al. ("*Cerf*"). Claims 15-16 and 33-34 depend from one of allowable Claims 1 and 19. For at least the reasons provided above with reference to Claims 1 and 19, Applicants respectfully submit that Claims 15-16 and 33-34 are in condition for allowance. Therefore, reconsideration and favorable action are requested.

**Sixth Section 103 Rejection**

Claims 51-53 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Raisanen* in view of *Cerf* and in further view of *Shaffer*. Claims 51-53 depend from allowable Claim 37. For at least the reasons provided above with reference to Claim 37, Applicants respectfully submit that Claims 51-53 are in condition for allowance. Therefore, reconsideration and favorable action are requested.

**CONCLUSION**

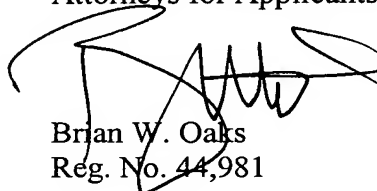
Applicants have made an earnest attempt to place this case in condition for allowance. For at least the foregoing reasons, Applicants respectfully request full allowance of all the pending claims.

If the present application is not allowed and/or if one or more of the rejections is maintained, Applicants hereby request a telephone conference with the Examiner and further requests that the Examiner contact the undersigned attorney to schedule the telephone conference.

A check in the amount of \$150.00 is enclosed to cover for the addition of new claims. Applicants believe no other fees are due; however, the Commissioner is hereby authorized to charge any other fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.  
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